IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

RP.No. 427 of 2007()

AGAINST THE JUDGEMENT/ORDER IN MFA.176/2006 Dated 29/09/2006
.....

PETITIONER/APPELLANT

REGIN JOSEPH, D/O.K.V.JOSEPH,KULAMPALLI-KKATTEL HOUSE,SLEEVAPURAM BHAGOM,KANJIRATHANAM PO, OMALLUR KOTHANALLUR, KOTTAYAM DISTRICT,REPRESENTED BY HER MOTHER & POWER OF ATTPRNEY V.J.MARIYAMMA,W/O.K.V.JOSEPH, R/AT.KULAMPALLIKKATTEL HOUSE, SLEEVAPURAM BHAGOM, KANJIRATHANAM PO,OMALLUR, KOTHANALLUR, KOTTAYAM DT

BY ADV. SRI.M.K.SUCHEENDRAN

RESPONDENT: RESPONDENT

JAMES JOSEPH, 43 YEARS, S/O.JOSEPH, KUTTAMPEROOR HOUSE, VAZHAPPALLY EAST, CHANGANACHERRY P.O., IN KOTTAYAM DISTRICT.

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 04/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & M.N.KRISHNAN, JJ.

R.P.No.427 of 2007 in
M.F.A.No.176 OF 2006

Dated 4th June, 2007

ORDER

Koshy,J.

This review petition is filed for reviewing the judgment dated 20th September, 2006. At that time, She was working in Saudi Arabia. We have stated that if there is substantial change in circumstances, she can approach the Family Court. Now, it is submitted that she came back from Saudi Arabia. If there is change in circumstances, this order passed will not be res judicata. She can apply to the Family Court for custody or visitorial right. It is for the Family Court to decide what is to be done in the the best interest of the children after issuing notice and on the basis of the evidence adduced.

The review petition is dismissed.

J.B.KOSHY
JUDGE

M.N.KRISHNAN
JUDGE

tks